



Waldman 2

#1613
12/18/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Francis R. Waldman
Case: 2
Serial No.: 09/229,704
Filing Date: January 13, 1999
Group: 2665
Examiner: Thien D. Tran

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Technology Center 2600

Title: System and Method for Interconnecting ATM Systems
Over an Intermediate ATM Network Using Switch
Virtual Connections

DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. §1.131

I, the undersigned, hereby declare and state as follows:

1. I am the sole inventor of the invention described and claimed in the above-referenced U.S. patent application.

2. On or about April 29, 1998, I prepared a description of the invention that is the subject of the above-referenced application. A copy of the description is attached hereto as Exhibit 1.

3. The description in Exhibit 1 evidences conception of an invention falling within one or more of the claims of the application.

4. I continued to work diligently on the invention through the spring and summer of 1998. During this time, the invention was brought to the attention of the legal department of my employer, Lucent Technologies Inc. ("Lucent"), for consideration for possible patent protection. On or about

June 17, 1998, Lucent assigned invention disclosure submission (IDS) number 115643 to the invention. A copy of the submission summary sheet is attached hereto as Exhibit 2.

5. Lucent subsequently engaged an outside counsel patent firm, Darby & Darby, to prepare and file a patent application on the invention. A copy of an instruction letter from Lucent to Darby & Darby dated September 21, 1998 is attached hereto as Exhibit 3.

6. Through the fall of 1998 and early winter of 1998-1999, I worked diligently with a Darby & Darby patent attorney, Ms. Cheryl F. Cohen, to assist her in preparing and filing a patent application on the invention. The application was filed by Ms. Cohen with the U.S. Patent and Trademark Office on January 13, 1999.

7. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.

8. I understand that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Date: 10/17/03

Francis Waldman

Francis R. Waldman